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Chairperson: Mr. Benmehidi ..... (Algeria)
later: Mr. Stastoli (Vice-Chairperson) ..... (Albania)

Contents

Agenda item 106: Measures to eliminate international terrorism (*continued*)

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The meeting was called to order at 10.15 a.m.

Agenda item 106: Measures to eliminate international terrorism (*continued*) (A/64/37 and A/64/161 and Add.1)

1. **Mr. Al-Jarman** (United Arab Emirates) said that the increase in terrorism over the previous two decades had led the international community to strengthen its cooperation in order to deal with the phenomenon, through legislation and conventions and through joint efforts to combat it on the ground. Those efforts had been focused on prosecution of the organizers and perpetrators of terrorist acts and on their sources of financing. Yet no progress worth mentioning had been made in examining the multidimensional root causes behind terrorist activities or possible ways of addressing them, though such criminal activities were usually the result of injustice, exclusion, poverty and other causes that gave rise to feelings of hatred and a desire for revenge.

2. While the efforts of the Secretary-General to impart an institutional character to the group charged with coordinating anti-terrorist efforts were welcome, the major responsibility for dealing with the phenomenon lay with States. And while his Government reiterated its commitment to the United Nations Global Counter-Terrorism Strategy and its annexed Plan of Action, which was aimed not merely at combating terrorism but also at addressing the conditions conducive to its spread, it also called for an objective, transparent review of the results of that strategy, which should be updated periodically in keeping with global developments. The scope of related partnerships between States, the United Nations, regional and local organizations and civil society as a whole should be expanded.

3. His delegation called for full and non-selective implementation of the Strategy through mechanisms and programmes characterized by transparency, objectivity and respect for the rule of law and human rights; the strengthening, without discrimination, of technical-assistance and advanced-training programmes, especially for developing countries, to enable their Governments to develop their national counter-terrorism capacities; support for victims of terrorism, an area in which his Government welcomed the international symposium organized by the Secretary-General in 2008; and recognition that terrorist acts should not be associated with any particular religion, nationality, culture or ethnic group and that all practices involving the disparagement of religions and all incitement to do so should be criminalized, since they spread hatred and terrorism.

4. An international conference should be organized under United Nations auspices to arrive at a clear definition of terrorism and to strengthen the legislative and legal system currently invoked for dealing with it so as to guarantee that its application was not selective. Efforts should be made to distinguish between terrorism and the struggle of peoples under foreign colonization or occupation to achieve their independence and exercise their right of self-determination in accordance with the Charter, internationally binding resolutions and the relevant human rights instruments. The United Nations, its official bodies and all parties concerned should assume their full responsibility for resolving existing instances of occupation, conflict and economic and social injustice, for they were demonstrably conducive to terrorism.

5. The United Arab Emirates had consistently condemned all forms of terrorism as well as extremism and hatred, which were contrary to its values and those of all the revealed religions, including Islam. In consequence, the United Arab Emirates had made all the necessary amendments to its legislation to join in the fight against terrorism and cooperated in every way with the United Nations, including the Security Council and its committees, and with the related international and regional mechanisms. It had exchanged information and experience with countries and relevant international and regional organizations, acceded to 14 international conventions on counter-terrorism and the Gulf Cooperation Council convention on counter-terrorism and ratified the Arab Convention for the Suppression of Terrorism.

6. The United Arab Emirates, in renewing its pledge of support for the United Nations Global Counter-Terrorism Strategy, wished to stress that multipartite cooperation under the aegis of the United Nations, in a framework of full respect for international law, the Charter and the relevant international conventions, was the most effective way to combat terrorism and the conditions conducive to its spread.

7. **Mr. Kleib** (Indonesia) said that, despite the havoc wreaked by terrorism in his country, the people of Indonesia would never allow themselves to be

intimidated and would use the full arsenal of domestic law to disrupt terrorist networks. The goal was to maintain a balance between prevention and criminalization while ensuring respect for democratic values and human rights. Many terrorists and terrorist sympathizers had been convinced that there were peaceful ways of redressing their grievances and meeting their needs and that the Government cared about them as human beings.

8. As with any global threat, immediate and long-term solutions to the problem of terrorism could be found only through regional and international cooperation. Indonesia had concluded various counter-terrorism agreements, particularly with its immediate neighbours, and had spearheaded regional cooperation initiatives in the areas of law enforcement, border control and legislation. The Jakarta Centre for Law Enforcement Cooperation, set up jointly by Indonesia and Australia, provided training for law enforcement officers of the Asia-Pacific region; he understood that similar structures modelled on it were envisioned for other parts of Asia.

9. As terrorism continued to adapt and evolve, it was important to address its root causes, including prolonged unresolved conflicts. Conflict prevention and the peaceful settlement of disputes were essential. In order to avoid eroding the necessary political legitimacy, global efforts to combat terrorism must respect the integrity of the Charter, human rights and international law. It was imperative to reject the association of terrorism with particular nations, regions or religions and to sustain dialogue among civilizations in order to build bridges between diverse cultures, facilitate understanding and put the merchants of hate out of business. The United Nations Global Counter-Terrorism Strategy's relevance and sustainability as a living document should be ensured, and delegations should make every effort to conclude work on the draft comprehensive convention on international terrorism.

10. Despite years of discussion, the Committee's work seemed to be limited to debating the kind of international cooperation that was required and the possibility of organizing a high-level meeting to formulate a joint organized response to terrorism. What was critically needed were more tangible results on the ground.

11. **Mr. Davide** (Philippines) said that his Government viewed terrorist acts as a direct threat to the nation's well-being. It had strengthened its legislation by adopting the 2007 Human Security Act as part of a comprehensive approach to terrorism and its root causes; the Act stressed the importance of prevention, mandated the proscription of terrorist organizations, associations and groups and established penalties commensurate with the gravity of the offence. It also established a permanent counter-terrorism mechanism at the national level and provided a legal framework for arrangements with other countries.

12. Another focus of the Government's strategy was the conclusion of international cooperation arrangements in order to secure the nation's borders and ensure the safety of Philippine workers overseas, enhance its law enforcement capabilities and aid in the capture of known terrorists. The Philippines was a party to 12 of the international counter-terrorism instruments and was building a network of bilateral and regional cooperation agreements, including the Association of Southeast Asian Nations (ASEAN) Convention on Counter Terrorism. Article VIII of the Convention stipulated that any person taken into custody must be guaranteed fair treatment, including the enjoyment of all rights and guarantees in conformity with the laws of the State party in the territory of which that person was present and with the applicable provisions of international law, including international human rights law. The Government's strategy also provided for active vigilance and timely, effective response mechanisms; a recently launched counter-terrorism hotline used text messages sent via cellular telephones.

13. The Government believed that terrorism took root in conditions of poverty, injustice and loss of human dignity and was working to reduce political and social disenfranchisement rooted in intolerance and misunderstanding by fostering interfaith and intercultural dialogue and to combat poverty by focusing on economic growth in order to create new jobs and enhance the delivery of vital social services. From 1 to 3 December 2009, the Philippines would host the first Non-Aligned Movement Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace and Development.

14. Although Member States bore the primary responsibility for combating terrorism and bringing terrorists to justice, his delegation emphasized the value of international cooperation and capacity-building and the crucial role of the United Nations in

that regard. Terrorism reduced people to mere pawns in a ruthless game of competing beliefs and ideologies; conflicts should therefore be addressed before they could be exploited by terrorists. Counter-terrorism activities should be conducted in accordance with the purposes and principles of the Charter of the United Nations and with international law. Deep and historic divisions could be healed through dialogue between peoples of different civilizations; his Government believed that its own people's divisions, whether of belief or of culture, should never be the basis for misunderstanding or conflict. His delegation called for strengthened efforts to implement the Global Counter-Terrorism Strategy and urged delegations to seek common ground in finalizing the draft comprehensive convention.

15. **Ms. Rodríguez-Pineda** (Guatemala) said that her country's counter-terrorism measures focused primarily on incorporating the terrorist offences defined in international instruments into domestic law. Guatemala was a party to the Inter-American Convention against Terrorism and to 12 of the international counter-terrorism instruments, having ratified the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf in July 2009.

16. Her delegation wished to express its appreciation to the United Nations Office on Drugs and Crime (UNODC) and the Organization of American States (OAS) Inter-American Committee against Terrorism (CICTE) for the legislative drafting assistance missions that they had sent, at her Government's request, so that it could meet its obligations under the multilateral and regional instruments to which it was a party and the relevant Security Council resolutions. With the assistance of those bodies, it had finalized a preliminary draft counter-terrorism act that would be submitted to Congress for adoption; legislation on countering the financing of terrorism was already in place.

17. Guatemala's geographic location made it a transit point for trafficking in drugs, small arms and light weapons, and persons by transnational organized crime. That fact, coupled with its extreme poverty, made it vulnerable to the commission of terrorist acts. Her delegation therefore supported full implementation of the Global Counter-Terrorism Strategy at all levels. In the 2005 World Summit Outcome (General Assembly resolution 60/1), Member States had stressed the need to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism during the sixtieth session of the General Assembly. Her delegation reiterated its support for the 2007 package proposal made by the Coordinator of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 and hoped that substantive progress towards a consensus text would be made at the current session.

18. **Mr. Mukongo Ngay** (Democratic Republic of the Congo) said that his delegation reiterated its strong condemnation of terrorism in all its forms and manifestations. However, combating terrorism should not result in the denial of human rights. More effective coordination and cooperation were needed between the police and the intelligence and security services, both within and between States, and a greater exchange of information between law enforcement agencies and decision makers and politicians. His delegation commended the International Civil Aviation Organization (ICAO) on its Regional Seminar on Machine Readable Travel Documents, Biometrics and Security Standards, held in Abuja in April 2009; and encouraged ICAO to pursue its training programme in aviation security.

19. In addition to the international instruments specified in Table 2 of the report of the Secretary-General (A/64/161), his country was also a party to the International Convention for the Suppression of Acts of Nuclear Terrorism. The international counter-terrorism treaties had been incorporated in its domestic law, and its national courts and tribunals, especially the military tribunals, now had jurisdiction to try those responsible for terrorist acts and to cooperate with other States and the relevant international and regional organizations in bringing them to justice. His country's legislation provided for the prevention and detection of transactions intended to finance terrorism, and its financial intelligence unit (CENAREF) had powers to tackle corruption and fraud. Act No. 024/2002 on the Military Criminal Code defined and criminalized terrorism, along with genocide, crimes against humanity and war crimes. On 3 October 2004, a group of army officers who had committed acts of terrorism had been sentenced by the military courts.

20. He urged delegations to pursue negotiations to conclude a draft comprehensive convention on

international terrorism. It should be borne in mind that there was an obvious link between the draft convention and the Statute of the International Criminal Court in view of the proposal to define the crime of terrorism and integrate it into the Statute at the Review Conference to be held in 2010. His delegation also supported the proposal to convene a high-level conference under the auspices of the United Nations, to establish a joint response to terrorism.

21. **Mr. Wong** Kang Jet (Singapore) said that the multiple attacks in Mumbai in 2008 and the bombings of the Marriott and Ritz-Carlton hotels in Jakarta in 2009 vividly demonstrated how terrorists had focused their attention on soft civilian targets, such as hotels, restaurants and public areas. The transnational and asymmetric nature of terrorism made it imperative for all countries to work closely together to combat it. They must also examine all the root causes of the problem, rather than merely addressing the symptoms.

22. There was a growing phenomenon known as self-radicalization whereby individuals developed radicalized views after encountering radical ideologies, especially on the Internet, which they then searched for bomb recipes, training and moral support. Counter-terrorism strategies must address that phenomenon, and community and religious leaders should seek to inoculate young people from extreme ideologies. Singapore relied heavily on members of all its religious communities to help counter misrepresentations of religion and build a tolerant and inclusive society. A number of Muslim religious leaders had formed the Religious Rehabilitation Group to counter radical ideologies, and had published materials online to rebut the misunderstandings circulating in cyberspace. When three self-radicalized individuals were detained in 2007 for involvement in activities posing a potential terrorist threat, they and their families were counselled by members of the Group in an effort to correct their misinterpretation of Islam.

23. In 2006 Singapore had launched a Community Engagement Programme to bring together different communities and develop response plans in the event of communal tension if a terrorist attack occurred. One component of the Programme was the formation of interracial and religious confidence circles, which served as regular platforms for leaders of local racial and religious communities to interact and build trust.

24. The United Nations had an important role to play in conveying the international community's unequivocal condemnation of terrorism in all its forms and manifestations. Implementation of the United Nations Global Counter-Terrorism Strategy must remain a priority. In March 2009 Singapore had welcomed a visit by the Counter-Terrorism Executive Directorate (CTED), and he encouraged Member States to work with both CTED and the Counter-Terrorism Implementation Task Force to strengthen collective counter-terrorism efforts. Work on a draft comprehensive convention on international terrorism should be completed soon, because it could be critical in forging an international response to terrorism.

25. **Mr. Loulichki** (Morocco) said that terrorist attacks in the past year in a number of countries, including some in the subregion to which his own country belonged, had shown that the fight against terrorism was far from won. Terrorism operated across borders and could emerge in any society. Individual action by States to combat terrorism was no substitute for collective action and commitment. His delegation firmly rejected any attempt to link terrorism with any particular religion, race, culture or ethnic or racial group; terrorists acted in disregard of all religious, legal and moral standards. The United Nations offered its Member States a legitimate universal framework to forge a collective response to terrorism as a transnational phenomenon. His delegation attached great importance to the conclusion of a draft comprehensive convention on international terrorism; it was ready to assist in overcoming the obstacles to completion of the convention and fully supported the efforts of the Coordinator.

26. Morocco was anxious to strengthen its national capacity for combating terrorism, especially in light of the worrying situation in the Sahelo-Saharan region. On the global plane, there were new threats stemming from uncontrolled sources of nuclear, radioactive and biological materials, and the black market in dual-use technologies International cooperation was vital to avert such risks, and his country was therefore committed to the United Nations Global Counter-Terrorism Strategy. The efforts of the international community to combat terrorism, however, must fall within a multidimensional framework aimed at tackling the deep-seated causes of terrorism by resolving international and regional conflicts, overcoming underdevelopment and promoting dialogue and

tolerance between cultures, religions and civilizations. Morocco supported the proposal by Saudi Arabia on establishing an international centre to combat terrorism, the proposal by Egypt on convening a high-level conference on terrorism, and the proposal by Tunisia on devising an international code of conduct to be followed in combating terrorism.

27. **Mr. Ayoob** (Afghanistan) said that his country was strongly committed to combating all acts of terrorism and extremism and it condemned in the strongest terms all forms and manifestations of terrorism. While its people and Government, with the support of the international community, were making significant progress in stabilizing and rebuilding the country after 30 years of war, foreign occupation and terrorist activity, the major destabilizing factor still remaining was the presence of terrorist and extremist groups in the region, led by the Taliban and Al-Qaida. They and other criminal groups were responsible for the deaths of thousands of civilians through brutal acts such as beheadings, roadside bombings and suicide attacks, and by burning schools, attacking schoolgirls, poisoning food and drinking water and destroying health-care centres, clinics, hospitals and roads.

28. Afghanistan had taken active measures to track and combat terrorist elements and to prevent the financing of terrorism through money-laundering. Banking and financial institutions were monitored and suspect bank accounts frozen, in line with Security Council resolution 1822 (2008). The Government had appointed a national counter-terrorism focal point. An inter-ministerial working group under the Ministry of Foreign Affairs coordinated the implementation of the international conventions and protocols related to international terrorism, to all of which Afghanistan was a party, and the country's compliance with Security Council resolutions. Afghan national security forces, including the army and police working alongside international military forces, were taking more responsibility for combating terrorism on the ground. His country was working closely with the Security Council Committees established pursuant to resolution 1267 (1999) and resolution 1373 (2001) and other Security Council bodies to strengthen the effectiveness of the United Nations sanctions regime against Al-Qaida and the Taliban. Afghan delegations had taken an active part in international workshops on terrorism sponsored by donor countries through the United Nations Office on Drugs and Crime (UNODC).

29. At the regional level, Afghanistan was a member of the South Asian Association for Regional Cooperation (SAARC), and was taking steps to adhere to its Regional Convention on Suppression of Terrorism, and its Additional Protocol. The Government of Afghanistan was actively participating in a trilateral mechanism on anti-narcotic and counter-terrorism activities.

30. His delegation supported the call for a high-level international conference, under the auspices of the United Nations, to formulate a joint organized response to terrorism. Concluding the draft comprehensive convention on international terrorism should be a top priority, and he acknowledged the efforts of the Ad Hoc Committee established by General Assembly resolution 51/210 to negotiate the outstanding issues. His delegation reaffirmed its support for the United Nations Global Counter-Terrorism Strategy, and welcomed the valuable role played by the Counter-Terrorism Implementation Task Force. The Task Force should be put on a sound financial footing to enable it to help countries build the necessary capacity to combat terrorism. His delegation also supported the proposal of the Custodian of the Two Holy Mosques to establish an international centre, under the auspices of the United Nations, to combat international terrorism, and it was in favour of the proposal to elaborate a global code of conduct in the fight against terrorism.

31. In order to defeat the common enemy, every State must fulfil its obligations under international law and international humanitarian law to combat terrorism, including by prosecuting and extraditing perpetrators, denying them shelter and safe havens, and not allowing terrorist and extremist groups to use their territories for training or for planning or financing terrorist attacks.

32. **Mr. Apakan** (Turkey) said that, while all forms of terrorism should be condemned unequivocally, the conditions conducive to it must be addressed. The Alliance of Civilizations was an important initiative, since no country was immune from terrorism and no culture or religion could be associated with it. It was important to avoid complacency, discrimination, indifference and double standards.

33. He welcomed the work of the Counter-Terrorism Implementation Task Force and the initial arrangements for its institutionalization. Member States should contribute to the full, effective implementation of the Global Counter-Terrorism

Strategy, the success of which would be judged by its concrete results. Turkey participated in the International Process on Global Counter-Terrorism Cooperation and was among the sponsors of the upcoming International Workshop of National Counter-Terrorism Focal Points.

34. **Mr. Ghazi Jomaa** (Tunisia) said that the continuing threat of terrorism underscored the need to understand the factors giving rise to it: the persistence of political and economic injustice, the failure to resolve longstanding conflicts, frustration, poverty, exclusion, marginalization and the defamation of religion. Security-oriented approaches and unilateral responses to terrorism were not enough; there must be a firm collective response based on a comprehensive approach, not confined to the treatment of symptoms but extending to an examination of underlying causes. While the United Nations remained the most appropriate framework for coordinating international action against terrorism, there was a need for greater synergy between its various organs and entities. The Security Council should be acting in concert with the General Assembly, and the briefings organized by its subsidiary organs should become a regular practice.

35. Tunisia would shortly be hosting a visit from the Counter-Terrorism Committee Executive Directorate (CTED), with a view to intensifying its cooperation with the Security Council. In line with its efforts to improve its counter-terrorism legislation, Tunisia had recently amended its anti-money-laundering law. For some years it had advocated the adoption of a code of conduct to be followed in combating terrorism. Tolerance and moderation were its watchwords. It had recently hosted the International Conference on Dialogue of Civilizations and Cultural Diversity, resulting in the adoption of the Kairouan Declaration, a set of proposals to implement the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

36. The differences concerning the draft comprehensive convention on international terrorism were not insurmountable. The aim was to conclude a global instrument capable of filling the gaps in the existing legal framework, and one which could be transposed to the national legal system of every Member State. It would be appropriate to evaluate the progress so far made, in order to decide on the approach to be followed at the next stage.

37. *Mr. Stastoli (Albania), Vice-Chairperson, took the Chair.*

38. **Mr. Benítez Versón** (Cuba) stressed that counter-terrorism measures must fully respect the Charter and the principles of international law and international humanitarian law. Arbitrary and unilateral measures, acts of aggression, covert acts, unilateral sanctions and the drafting of politically motivated lists or certifications of countries were wholly unjustifiable.

39. It was important to conclude work on a draft comprehensive convention that would fill the gap in the existing United Nations counter-terrorism instruments. The new convention must provide a clear definition of terrorism; its scope should include the activities of armed forces that were not regulated by international humanitarian law; and it should make a clear distinction between terrorism and the legitimate struggle of peoples in the exercise of their right to self-determination. He stressed the importance of greater interaction between the Counter-Terrorism Implementation Task Force and Member States and called for true political will in implementing the Global Counter-Terrorism Strategy without applying double standards.

40. Cuba had never allowed and would not allow its territory to be used to carry out, mastermind or finance terrorist acts against another State. It was one of the first three countries to have ratified the first 12 international counter-terrorism instruments and, having ratified the International Convention for the Suppression of Acts of Nuclear Terrorism, was now a party to 13 of those instruments. It had promulgated comprehensive counter-terrorism legislation, adopted non-legislative measures to combat that scourge and submitted comprehensive reports to the Security Council Committee established pursuant to resolution 1373 (2001) (Counter-Terrorism Committee).

41. For the past 28 years, the Government of the United States of America had included Cuba in a list of States that allegedly sponsored international terrorism. That inclusion constituted a politically motivated act by a State that had no moral authority to condemn others on the issue of terrorism. In the United States, chiefly in Miami, funds were collected to finance terrorist acts, bank accounts were maintained to finance terrorism, safe haven was provided to terrorists and those who financed, planned and committed acts of

terrorism against Cuba were granted freedom of movement.

42. For example, the notorious terrorist, Luis Posada Carriles, had downed a Cubana de Aviación airliner, killing 76 innocent civilians; had bombed Havana resorts; and had been implicated in plans to assassinate President Fidel Castro Ruz with funding provided by the United States Government. Although that Government was in possession of evidence against Mr. Posada Carriles that had been provided by Cuba since 1998, he had yet to be prosecuted for those acts and had merely been charged with immigration misdemeanours.

43. In the fight against terrorism, impunity, selectivity and double standards were unacceptable. His delegation therefore called for closer cooperation among States, respect for their sovereignty and non-interference in their internal affairs.

44. **Mr. Liu** Zhenmin (China) said that his Government had consistently opposed terrorism in all its forms and manifestations and was opposed to using terrorism as a means to achieve political objectives. It supported the Security Council and the General Assembly as leaders and coordinators of the international counter-terrorism effort, while stressing the need to respect the Charter and international law and to avoid linking terrorism with any specific civilization, ethnic group or religion. Prevention and punishment initiatives should be pursued in parallel and the root causes of terrorism, such as conflict, social unrest and injustice in international relations, should be addressed.

45. China was a party to 11 of the international counter-terrorism conventions and protocols and had met its obligations under those instruments in good faith. It was actively involved in regional efforts to combat terrorism within the framework of the Shanghai Cooperation Organisation (SCO) and, in that connection, was a party to the 2001 Shanghai Convention on Combating Terrorism, Separatism and Extremism and to the 2009 SCO Counter-Terrorism Convention, which provided a legal basis for counter-terrorism interaction among SCO members. China had also cooperated with its neighbours and other countries in counter-terrorism initiatives.

46. His delegation was in favour of a comprehensive convention on international terrorism and called on all parties to demonstrate political will and a constructive spirit. It supported the holding of a high-level meeting on combating terrorism, under United Nations auspices, when conditions were ripe, in order to provide policy guidance to the international legal counter-terrorism framework. Lastly, all relevant departments and specialized agencies of the Organization, as well as Member States, should strengthen their coordination and coherence with a view to comprehensive, balanced implementation of the Global Counter-Terrorism Strategy.

47. **Mr. Badji** (Senegal) said that his delegation condemned both terrorism in all its forms and manifestations and any attempt to associate it with a specific religion, culture, race or ethnic group. In implementing the Global Counter-Terrorism Strategy, States should cooperate more widely and actively by sharing information and coordinating efforts. The Counter-Terrorism Implementation Task Force had an important role to play in ensuring consistency in the actions taken by the United Nations system. It was essential to ensure that counter-terrorism measures were implemented in a manner consistent with international law, including international human rights and humanitarian law. Greater efforts should be made to address the conditions conducive to terrorism by promoting dialogue among civilizations and religions, combating prejudice and promoting tolerance and understanding among religions and cultures.

48. Senegal was a party to 13 of the international counter-terrorism instruments and urged delegations to make every effort to reach agreement on a draft comprehensive convention. His delegation supported the Egyptian proposal to hold a high-level conference on international terrorism as an appropriate forum for discussion of the difficult outstanding issues.

49. **Mr. Al-Adhami** (Iraq) said his delegation regretted that the Ad Hoc Committee established by General Assembly resolution 51/210 had not managed to resolve outstanding issues on a draft comprehensive convention on international terrorism and the holding of a high-level conference under United Nations auspices, and emphasized the importance of arriving at acceptable solutions with a view to strengthening the legal instruments for combating terrorism.

50. Iraq's strong condemnation of terrorism in all its forms was not based on considerations of principle alone. Indeed, Iraq continued to be the victim of brutal terrorist activities that targeted civilians and the

country's infrastructure and were aimed at thwarting the establishment of a democratic system based on the rule of law and respect for human rights. One such attack, perpetrated a month earlier, had targeted Iraqi State institutions, including ministries, and killed a large number of innocent civilians, including more than 40 employees of the Ministry of Foreign Affairs, in addition to wounding hundreds of others. The Iraqi Government had requested the Secretary-General to appoint a high-level official to investigate the explosions and the degree of foreign involvement in them, and the request had been reiterated by the President of Iraq in his speech before the General Assembly on 24 September 2009.

51. Thus, considerations of both principle and experience had led his delegation to stress the importance of completing the preparation of a draft comprehensive convention, while emphasizing the following points: measures to combat terrorism must remain within the framework of international law, human rights law and international humanitarian law; terrorism must not be associated with any particular religion or culture, and dialogue between religions and cultures must be encouraged; double standards must not be applied in combating terrorism; bilateral, regional and international cooperation must be strengthened to prevent and suppress acts of terrorism, including the adoption of effective measures and mechanisms to prevent the infiltration of terrorists from one country into another, deprive them of material support and prosecute or extradite them.

52. **Mr. Shapoval** (Ukraine) said that the United Nations and its specialized agencies should continue to play a key role in providing a solid legal basis for cooperation in combating international terrorism in a manner consistent with international law, including human rights, refugee and humanitarian law, the Charter and the relevant international instruments. The international community should endeavour to reach agreement on a draft comprehensive convention, and particularly on the question of how the actions of the parties in situations of foreign occupation should be viewed. The deliberate targeting and killing of civilians and non-combatants could not be justified by any cause or grievance. A just and lasting solution to problems of self-determination should be pursued, independently of negotiations on the draft convention, but there must be no ambiguity as to the scope of that instrument, and the question must be studied from the point of view of regional stability and protection of the people of each State. He called on delegations to make a greater effort at the current session of the General Assembly with a view to adoption of a draft convention.

53. No State was safe from terrorist acts, which were intended to achieve specific political goals but were often linked to other criminal activities, such as money-laundering and trafficking in drugs and weapons. Only a strong coalition of nations based on shared principles and values and on the Charter could prevent and combat such acts by pursuing them on all fronts and in all countries.

54. **Mr. Nega** (Ethiopia) said that his country had been a victim of terrorism in recent years, with attacks on hotels, public transport vehicles and markets. Such acts should be condemned by all peace-loving nations. Terrorism was an international crime, and called for an international response. The cooperative counter-terrorism framework established at the subregional, regional and international levels was encouraging, but more was needed. Ethiopia attached great importance to multilateral cooperation. It was a party to 9 of the 13 international instruments on terrorism, and was considering ratification of the remainder.

55. The rise in the number of international terrorist acts committed in Africa pointed to the increased vulnerability of the continent, which in addition to loss of life had been affected by damage to its infrastructure, the withdrawal of investors and a decline in tourism. The situation was worst in the Horn of Africa, where explosives were the weapon of choice for terrorists and humanitarian targets were more common. Regional mechanisms were vital for taking collective action against terrorism. Member States of the Intergovernmental Authority for Development (IGAD) in Eastern Africa were collaborating to improve their security arrangements, especially within and along their border areas. Member countries of IGAD had also adopted conventions on mutual legal assistance in criminal matters, and a convention on extradition.

56. At the national level, Ethiopia's parliament had recently adopted an anti-terrorism proclamation dealing with the prevention and control of terrorist acts and the means to combat money-laundering and the financing of terrorism. The law also covered the protection of telecommunications and electric power networks; the prohibition of the development,

production and use of chemical weapons; immigration; and offences against the safety of aviation. National banking systems had also been strengthened to prevent the financing of terrorist groups.

57. Ethiopia was threatened by both international and domestic terrorist groups. Insurgent groups such as the Oromo Liberation Front (OLF) and the Ogden National Liberation Front (ONLF) had been linked to most of the violent attacks in the country in the recent past. It was also under threat from international terrorist groups such as Al-Ittihad al-Islami and Al Shabaab, linked to Al-Qaida, which were based in Somalia. Ethiopia had put in place mechanisms to implement the international conventions, protocols and United Nations resolutions by which it was bound and had expressed its readiness to step up its efforts to implement the United Nations Global Counter-Terrorism Strategy. It had frozen bank accounts owned and managed by foreign or home-grown terror suspects with links to major terrorist organizations, including accounts linked to the Barakat International Group, which had been found to have been involved in financing terrorist activities. Ethiopia actively exchanged information with neighbouring countries, inter alia, through the Eastern Africa Police Chiefs Cooperation Organisation. Lastly, his delegation supported the early conclusion of the negotiations on a draft comprehensive convention on international terrorism.

58. **Mr. Yun** Yong Il (Democratic People's Republic of Korea) said that terrorism was gaining ground and posing serious threats to human life, stability and world peace. However, erroneous attempts to link terrorist acts to religious or ethnic problems merely exacerbated tension between countries. Worse still, intervention in the affairs of sovereign States and violations of human rights were being condoned under the pretext of counter-terrorism. The armed invasions of Afghanistan, Iraq and Palestine and the massacre of civilians were typical examples of State terrorism and human rights violations, resulting in a vicious cycle of terrorism and retaliation.

59. All Member States should form a correct view of the root causes of terrorism, and seek effective means to combat it. The best way to eliminate terrorism was to establish a fair international order based on justice and equality and to eradicate all forms of domination, intervention and social inequality, while promoting sustainable development. Member States should respect one another's ideologies, systems, cultures and traditions. State terrorism, which aimed to encroach upon the sovereign rights of nations and to overthrow legitimate governments, must be brought to an end. A draft comprehensive convention on international terrorism should lay down clear rules to stamp out terrorism by State armies. The counter-terrorism effort should not be abused by individual States for their own political ends. Any attempt to categorize another country as a State sponsoring terrorism, to bring pressure to bear upon it or impose sanctions on it should be resolutely rejected. His own country opposed terrorism in all its forms and manifestations, as well as assistance to terrorists, and would continue to fulfil its obligation to eliminate it and to build a new and peaceful world.

60. **Mr. Guibila** (Burkina Faso) said that differences, often profound, had at times, been an obstacle to effective cooperation among States in fighting the menace of terrorism. True, the General Assembly, the Security Council and some of the specialized agencies had exerted considerable effort to develop and promote the various international instruments against terrorism. The United Nations Office on Drugs and Crime (UNODC) and its Terrorism Prevention Branch had provided valuable technical assistance to over 100 countries in ratifying and implementing those instruments. Unfortunately, much remained to be done.

61. Burkina Faso, which condemned terrorism in all its forms and manifestations, stood ready to join in the efforts of the international community to combat terrorism. It was a party to 12 of the international counter-terrorism instruments, including those of the African Union and the Organization of the Islamic Conference. In February 2009 it had hosted an assessment mission by the Counter-Terrorism Executive Directorate (CTED).

62. It was essential to finalize without delay a draft comprehensive convention on international terrorism. His delegation could accept the proposed compromise texts, including that for draft article 18, provided the right of peoples to self-determination was preserved. Moreover, a clear line must be drawn between the scope of the future convention and that of international humanitarian law. His delegation also favoured the proposal to convene a high-level international conference on terrorism, under the auspices of the United Nations.

63. From a practical standpoint, it was essential to ensure consistency between the actions of the Security Council, the General Assembly and all the other United Nations entities concerned, through the Counter-Terrorism Implementation Task Force. The capacity of the Task Force should be strengthened to enable it to play its role to the full in implementing the Global Counter-Terrorism Strategy, the only mechanism adopted by consensus. The necessary technical assistance should be provided to countries that required it to build their capacity to combat terrorism. Lastly, every effort should be made to avoid linking terrorism with any particular culture or belief system.

64. **Mr. Shautsou** (Belarus) said that terrorism was a universal phenomenon knowing no borders and could only be eliminated through collective measures at both the global and the regional levels. He invited delegations to consider the idea proposed by Belarus during the general debate in the General Assembly to designate 11 September international counter-terrorism day. The Security Council's Counter-Terrorism Committee played a significant role in enhancing the capacity of the United Nations to combat terrorism. The General Assembly should, however, play the central role, especially through the completion of a draft comprehensive convention on international terrorism. His delegation hoped that consensus could be reached on the draft and stood ready to lend support to the Ad Hoc Committee established by General Assembly resolution 51/210.

65. Belarus was complying with the provisions of the International Convention for the Suppression of Acts of Nuclear Terrorism, and had endorsed the statement of principles of the Global Initiative to Combat Nuclear Terrorism. It was willing to expand its multilateral cooperation in keeping with Security Council resolutions 1373 and 1540. Belarus had considerably improved its national legislation and infrastructure relating to nuclear and radiation safety, in accordance with the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism. At the regional level, it contributed to the fight against terrorism through the Commonwealth of Independent States (CIS), the Collective Security Treaty Organisation (CSTO), the Eurasian Group on Combating Money Laundering and the Financing of Terrorism (EAG) and the Organization for Security and Co-operation in Europe (OSCE). The police services of the CIS countries exchanged information about methods of combating terrorism and how to improve the legal framework for that purpose. Belarus regularly participated in the CSTO strategic counter-terrorism training sessions.

66. **Ms. Mwaipopo** (United Republic of Tanzania) said that addressing the root causes of terrorism continued to be the key to successful implementation of the Global Counter-Terrorism Strategy. Her country had established a national counter-terrorism centre composed of police and military personnel, as well as anti-terrorism units within its defence and security organs. The Government was currently preparing regulations for the implementation of the Prevention of Terrorism Act of 2002. At the regional level, the United Republic of Tanzania cooperated with neighbouring countries through the East African Police Chiefs Cooperation Organisation (EAPCCO) and the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO). As a member of the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG), it had recently been assessed in relation to Financial Action Task Force (FATF) standards and was making efforts to implement the FATF recommendations on money-laundering and terrorist financing. It was also working closely with the relevant organs of the United Nations to enhance its capacity to implement all Security Council resolutions on terrorism.

67. The United Republic of Tanzania faced major challenges in defending its borders and fighting terrorism. As an emerging economy based on foreign investment and tourism, it was vulnerable to terrorist attacks and the spread of terrorism from other countries and regions. To update and strengthen its preventive and responsive capacity, continued support was needed from the UNODC, the United Nations Development Programme (UNDP) and the International Criminal Police Organization (INTERPOL).

68. Work on concluding a draft comprehensive convention on terrorism should be speeded up, and she called on Member States to muster the political will needed to reach agreement on the outstanding issues. The longer the delay, the more sophisticated international terrorism became in its strategies and tactics.

69. **Mr. Baghaei Hamaneh** (Islamic Republic of Iran) said that, unfortunately, terrorism had long been

manipulated by some as political leverage against others. Certain Powers had applied a double standard in relation to a notorious terrorist group that had killed and injured many thousands of Iranian citizens. His country welcomed the decision by the Iraqi authorities to put an end to the presence of that group in their territory, and to bring its leaders and other criminal elements to justice.

70. Counter-terrorism measures must be carried out in full conformity with the rule of law and respect for human rights and humanitarian law, without sacrificing the principles of the United Nations Charter, especially those concerning the sovereignty, territorial integrity and political independence of States. Counter-terrorism strategies should address the conditions conducive to the spread of terrorism by identifying and eradicating its underlying causes: conflict, foreign occupation and the unlawful use of force by States. The unparalleled rise in terrorism in his own region in recent years had been generated mainly by conflict and war inflicted on the region from outside. The international community should help affected countries to restore their peace and stability.

71. Killing and maiming innocent people and generating terror and intimidation among civilians could not be justified in any manner, whether the perpetrators were terrorist groups or State military forces. A consensual definition of terrorism in a draft comprehensive convention on international terrorism must be objective, must include all kinds of terrorist acts and must distinguish clearly between acts of terrorism and the legitimate struggle for self-determination of peoples under foreign occupation. A comprehensive convention should criminalize acts of terrorism by a State, including its military forces. Article 33 of the Fourth Geneva Convention, which prohibited all "measures of intimidation or of terrorism" during a conflict, could provide a basis for criminalizing such acts of States during peacetime. There should be no attempt to link any particular religion, culture or nation with terrorism. The true principles of Islam rejected aggression, prohibited the killing of innocent people and valued peace, compassion and tolerance.

72. For decades, his country had been at the forefront of a costly war against transnational drug traffickers, whose proceeds helped to finance some terrorist groups in the region. Acknowledging the vital role of UNODC, including its Terrorism Prevention Branch, his delegation urged the international community to pay more attention to that problem.

73. The Islamic Republic of Iran had acceded to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, and the Convention on the Marking of Plastic Explosives for the Purpose of Detection. It had also enacted an anti-money-laundering law and was ready to cooperate with other countries, especially its neighbours, and with the relevant United Nations bodies in fighting terrorism.

74. **Mr. Starčević** (Serbia) said that delegations' statements under the agenda item showed little progression in the dilemmas, arguments and differences presented since the agenda item had first been adopted. That fact testified to the complexity of the problem of terrorism and the persistence of some of its underlying causes. He hoped that it would be possible to resolve the outstanding issues and complete work on a draft comprehensive convention at the current session and to agree on the convening of a high-level conference on international terrorism.

75. Effective coordination in implementing the Global Counter-Terrorism Strategy should be further strengthened in accordance with the Charter and with international law in order to reaffirm the leading role of the United Nations. His delegation therefore welcomed the efforts of the Secretary-General, the Counter-Terrorism Committee and the Counter-Terrorism Implementation Task Force to assist Member States in their national implementation efforts and to strengthen partnerships between States and other stakeholders.

76. Serbia was a party to the overwhelming majority of the international counter-terrorism instruments and was doing its utmost to implement fully the relevant General Assembly and Security Council resolutions, particularly resolution 1373 (2001). It had also joined in the counter-terrorism efforts of the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe and the European Union.

77. In view of the geopolitical situation of its region, it attached great importance to regional and subregional cooperation and in 2006 had hosted a Summit of States of South-East Europe on combating organized crime and terrorism; the participants had

expressed their readiness to enhance subregional, regional and international cooperation in the areas of border and customs control; prevention and detection of the movement of terrorists; prevention of trafficking in small arms and light weapons, conventional ammunition and explosives, nuclear, chemical, biological or radiological weapons and materials; and combating organized crime. A national expert workshop on combating terrorist use of the Internet and comprehensively enhancing cyber-security, organized in cooperation with OSCE, had been held in Belgrade in February 2009. In March 2009, as a result of close cooperation with UNODC, the States of South-East Europe had signed a joint statement on cooperation in combating organized crime, terrorist financing and money-laundering.

78. In connection with Security Council resolution 1540 (2004), the States of the region had launched an initiative designed to promote non-proliferation and counter the use of chemical, biological, radiological and nuclear weapons and high-yield explosives. He hoped that, with the assistance of the United Nations, the Organisation for the Prohibition of Chemical Weapons, the International Atomic Energy Agency (IAEA), the European Union and other interested States and organizations, comprehensive national strategies for combating the proliferation of weapons of mass destruction and terrorism would be developed. In September 2008, his Government had adopted a national strategy for combating money-laundering and the financing of terrorism. It had signed over 30 bilateral agreements on mutual legal assistance and had incorporated into its Penal Code new provisions regarding criminal responsibility for the violation of sanctions imposed by international organizations.

79. Many terrorist acts had been committed in the portion of Serbia that was currently under international administration. He urged the international civilian and military authorities in the Kosovo province to step up their efforts to combat that problem, in accordance with their respective mandates, and to ensure the safety of all the inhabitants.

80. **Ms. McLeod** (United States of America) said that all acts of terrorism, by whomever committed, were criminal, inhumane and unjustifiable, especially when they targeted and injured civilians. Her delegation recognized the central role of the United Nations in coordinating Member States' counter-terrorism efforts and bolstering States' ability to prevent terrorist acts. The 16 international counter-terrorism instruments provided a thorough legal framework for cooperation among States; she noted, in particular, that the International Civil Aviation Organization was considering updates to the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft and the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation.

81. Her delegation supported the drafting of a comprehensive convention that would strengthen the existing legal regime and reinforce the critical principle that no cause or grievance justified terrorism in any form. Any resolution of the outstanding issues must be predicated on a shared and clear understanding of two fundamental principles: first, the new convention could not allow terrorist groups to claim that their criminal acts were excluded from its scope in the name of political liberation or resistance to foreign occupation; and, second, its scope should not extend to State military action, which was subject to other international legal regimes. The Coordinator's 2002 proposal best reflected those fundamental principles by incorporating text that was the subject of careful compromise and had been accepted by 162 States in the 1997 International Convention for the Suppression of Terrorist Bombings and in four other recent counter-terrorism instruments. While she appreciated the efforts of those who had made other proposals in an effort to finalize the text of the draft convention, she noted that to date, those proposals had not been supported by the Member States that had objected to the 2002 proposal. Her delegation stood ready to consider carefully any new proposal that was consistent with the fundamental principles that she had outlined.

82. Speaking in exercise of the right of reply, she said that in the case of Luis Posada Carriles the United States had acted in accordance with international law and with its domestic legal framework, which provided for due process and various constitutional safeguards; an individual could not be brought for trial or extradited without probable cause. Mr. Posada Carriles had entered the United States illegally in early 2005 and had been detained by the immigration authorities in May of that year. An immigration judge had ordered his removal from the country in September 2005; that order remained in effect and the authorities were seeking ways to implement it in a manner consistent with their obligations under the Convention

against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

83. In April 2009, Mr. Posada Carriles had been indicted and charged with lying about his involvement in certain terrorist bombings in Havana; he was scheduled to be tried in early 2010. In the meantime, he was without legal status in the United States and was subject to an order of supervision, issued by the Department of Homeland Security's Immigration and Customs Enforcement service, which included reporting and monitoring requirements.

The meeting rose at 1.05 p.m.